

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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KEITH L. WILLIAMS,	:	
	:	Case No. 3:21-cv-8216 (BRM)
Petitioner,	:	
	:	
v.	:	<b>MEMORANDUM ORDER</b>
	:	
JOHN POWELL, <i>et al.</i> ,	:	
	:	
Respondent.	:	
	:	

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*Pro se* Petitioner, Keith L. Williams, is a state prisoner confined at the South Woods State Prison in Bridgeton, New Jersey. Petitioner filed a habeas petition pursuant to 28 U.S.C. § 2254. (See ECF 1.) The habeas petition failed to include the \$5.00 filing fee, or, alternatively, Petitioner did not include an application to proceed *in forma pauperis*. Therefore, this case is administratively closed. Petitioner shall have the opportunity to reopen this action should he choose. Accordingly,

**IT IS** on this 6th day of April 2021,

**ORDERED** the Clerk of the Court shall **ADMINISTRATIVELY TERMINATE** this case, Petitioner is informed an administrative termination is not a “dismissal” for purposes of the statute of limitations, and if the case is reopened, it is not subject to the statute of limitations time bar if it was originally filed timely, *see Papotto v. Hartford Life & Acc. Ins. Co.*, 731 F.3d 265, 275 (3d Cir. 2013) (distinguishing administrative terminations from dismissals), and it is further

**ORDERED** if Petitioner wishes to reopen this case, he shall so notify this Court in writing within thirty (30) days of the date of entry of this memorandum and order; Petitioner’s writing shall include either the \$5.00 filing fee or a complete application to proceed *in forma pauperis* as well as a signed copy of his habeas petition on the proper form; and it is further

**ORDERED** upon receipt of a writing from Petitioner stating that he wishes to reopen this case and either the \$5.00 filing fee or a complete application to proceed in forma pauperis as well as a signed copy of his habeas petition on the proper form, the Clerk will be directed to reopen this case; and it is finally

**ORDERED** the Clerk shall serve upon Petitioner by regular U.S. mail: (1) a copy of this memorandum and order; and (2) a blank form application to proceed in forma pauperis by a prisoner in a habeas corpus case.

*/s/Brian R. Martinotti*  
**HON. BRIAN R. MARTINOTTI**  
**UNITED STATES DISTRICT JUDGE**